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9 | Attorneys for WAYMO LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

3 | WAYMO LLC,

CASE NO. 3:17-cv-00939

14 Plaintiff,

VS.

16 UBER TECHNOLOGIES, INC.;
17 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

PLAINTIFF WAYMO'S AMENDED NOTICE OF MOTION SANCTIONS

18 | Defendants.

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01980-00104/9592672.1

1 TO DEFENDANTS UBER TECHNOLOGIES, INC., OTTOMOTTO LLC, AND OTTO
 2 TRUCKING LLC, AND THEIR COUNSEL OF RECORD:

3 **PLEASE TAKE NOTICE THAT**, as soon as the matter may be heard before the Honorable
 4 Jacqueline Scott Corley, in Courtroom F of the United States District Court, Northern District of
 5 California, located at 450 Golden Gate Avenue, 15th floor, San Francisco, California 94102, Plaintiff
 6 Waymo LLC will and hereby does move this Court for sanctions to remedy misconduct by Defendants
 7 Uber Technologies, Inc., Ottomotto LLC, and Otto Trucking LLC. Following a meet and confer with
 8 Special Master Cooper, Waymo is filing an Amended Notice to clarify that all Defendants will file
 9 their opposition by 3:00 p.m. on October 4, 2017, and that no hearing date has been set yet. To the
 10 extent the Court is willing to entertain argument from the parties, Waymo is available at the
 11 convenience of the Court.

12 This Motion is made on the grounds that Defendants willfully violated this Court's Order Re
 13 Access to Under-Seal Material (Dkt. 60) and Order Re Administrative Motion to Seal (Dkt. 1444) by
 14 publicly filing material designated by Waymo as "Highly Confidential" and failing to immediately
 15 take all necessary steps to remove the filing from the Court's docket. Waymo moves for sanctions to
 16 remedy this misconduct pursuant to the Court's inherent authority and Rule 37 of the Federal Rules of
 17 Civil Procedure. Waymo respectfully requests that the Court impose all sanctions that it deems
 18 appropriate to remedy Defendants' violations of the Court's discovery orders. In particular, Waymo
 19 seeks entry of an Order: (1) compelling Defendants to redact the name and address of Waymo's SVN
 20 repository from all future filings and precluding any further argument that this information is not
 21 confidential; (2) requiring Defendants to take all necessary and appropriate corrective action to
 22 remove the improperly disseminated SVN information from the public domain; (3) precluding
 23 Defendants from arguing that Waymo does not adequately protect its SVN server; (4) awarding
 24 Waymo damages and attorneys' fees; and (5) awarding any and all other relief the Court deems
 25 appropriate.

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1 Dated: October 2, 2017

Respectfully submitted,

2 QUINN EMANUEL URQUHART &
3 SULLIVAN, LLP

4 By: s/Charles Verhoeven
Charles K. Verhoeven

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6 *Attorneys for Plaintiff Waymo LLC*

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